

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON OCTOBER 9, 2013 IN THE BOARD ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

CALL TO ORDER:

Mr. Donahue, Vice-Chair, called the meeting to order.

DETERMINATION OF A QUORUM:

Ms. Disney established the presence of a quorum.

Present: Joel Donahue, Vice-Chair
Cindy W. Disney, Secretary
Coy Allen, Member
Sonia Hirt, Member
Bryan Katz, Member
Scott Kroll, Member
Frank Lau, Member
Chris Tuck, Board of Supervisors Liaison
Brea Hopkins, Development Planner
Dari Jenkins, Planning & Zoning Administrator
Erin Puckett, Senior Program Assistant
Steven Sandy, Planning Director

Absent: Bryan Rice, Chair

APPROVAL OF AGENDA:

On a motion by Mr. Katz, and seconded by Mr. Allen, and unanimously carried the agenda was approved.

APPROVAL OF CONSENT AGENDA:

Mr. Kroll asked that the September 11 minutes incorporate a slight revision to indicate the correctly dated proffered conditions for the Hopper rezoning request.

On a motion by Mr. Katz, and seconded by Ms. Disney, and unanimously carried the consent agenda was approved with the minor change to the September 11 minutes.

PUBLIC ADDRESS:

Mr. Donahue opened the public address. However, there being no comments the public address was closed.

PUBLIC HEARING:

1. Request by SHAH Development, LLC (Agent: Gay and Neel, Inc.) to rezone approximately 8.01 acres from Agricultural (A-1) to Multiple Family Residential (RM-1), with possible proffered conditions, to allow 64 multi-family residential dwellings (townhomes). The property is located at 5201 Tango Lane; identified as Tax Parcel Nos. 060-1-A, (Account Nos. 070690) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as Mixed Use within the Elliston/Lafayette Village Plan.

Mrs. Hopkins stated that there will be a second public hearing at the Board of Supervisors meeting on October 28th, and they will then take action on the request on Wednesday, November 13th.

Mrs. Hopkins introduced the request, which is for the former Elliston-Lafayette Elementary School site. The adjoining properties are mainly zoned A-1, with some GB and R-3 parcels also in the area, and one special use permit for a business. She stated that the applicant is requesting to rezone from the current zoning designation of A-1 to RM-1 for 64 modular townhomes on individual lots. The property in question was sold at auction in July 2013. At their last meeting, the Board of Supervisors approved the applicant's requested Comprehensive Plan amendment to change the future land use designation to Mixed Use.

Mrs. Hopkins indicated on the site plan that the proposed development will have right in/right out access on Route 460, and VDOT can issue entrance permits based on the current site plan. PSA has issued a letter confirming that water and sewer are available, but additional connections will be needed for the townhome units. Montgomery County Schools indicated that the development will potentially generate 37 students (three (3) per grade level). The only school that will be impacted by this increase is Shawsville Middle, which is almost at capacity. In terms of emergency services, three (3) new hydrants are proposed, along with several hammerhead turns for fire truck access.

Mrs. Hopkins further stated that the site is in the Village Expansion area of the Comprehensive Plan and is designated as Mixed Use within the Elliston Village Plan, which allows for a variety of uses and housing options. The site is also in the Lafayette area Route 11/460 Corridor Plan which encourages certain architectural designs, landscaping, etc. The VITL Plan, which also covers this area, encourages trail connections.

Mrs. Hopkins said that staff feel that the proposal qualifies for consideration of rezoning so long as it complies with the various County plans and the ordinance. It will be a significant change to the area, as the area that used to be a school will now be a denser residential use. Traffic will be generated at different hours than it had been for the school. However, the existing infrastructure supports development in this area.

Mrs. Hopkins indicated that there have been some concerns with the site design, but a new set of proffers with elevation views and an updated site plan have been received that address these issues somewhat. Shared access should still be considered so that everything is connected; there are not yet proffers to address that issue. The most recent proffers include a proffered bus shelter at an undetermined location. A hammerhead turnaround on Route 460 may also be provided if necessary. A trail connection with the VITL trail is also now proffered.

Mrs. Hopkins said that VDOT had determined that the existing paved tack located in the right of way along Route 460 could not be utilized unless the land was acquired from VDOT. If the right of way cannot be obtained, the proffered trail connection will be provided elsewhere.

Mrs. Hopkins noted that there was also an updated proffer for the landscaping, to ensure that more than 25% of the landscaping will be of one species. An updated proffer also addresses a minimum size for the tot lot, including benches and playground equipment.

Mrs. Hopkins expressed a concern that, although the development does not have to have a mix of uses on one lot in the Mixed Use future land use designation, it should include a mix of architectural details, housing types, etc. This has not yet been proffered.

Mrs. Hopkins noted that SHAH Development and Gay and Neel voluntarily held a community meeting on September 30th. Furthermore, a letter of support for the rezoning from Mr. and Mrs. Dubois and their neighbors was recently received by staff and forwarded to the Commission.

Mrs. Hopkins explained that at this time, the staff recommendation is to table the request to allow for additional time to address the items noted.

Mr. Katz asked if the newly received information (proffers and site plan) would change that recommendation.

Mrs. Hopkins answered that there are still minor issues that need to be worked out. However, it is up to the Planning Commission to decide if what is presented tonight addresses their concerns. They could choose to approve the request tonight or table it until the next meeting.

Mr. Kroll asked if the requirement for 10,000 square feet of recreational space includes the loop trail.

Mrs. Hopkins confirmed this.

Mr. Kroll noted that the hammerhead turn at the entrance on Route 603 is not shown on the concept plan.

Mrs. Hopkins said that she will let the applicant address this issue.

Mr. Donahue asked if the County owns the bridge over the railroad.

Mrs. Hopkins explained that the County is responsible for the maintenance but it is not entirely clear who owns it.

Mr. Donahue invited the applicant to speak.

Thom Rutledge, Project Manager at SHAH Development, indicated that Mr. Neel and Mr. Tomlinson from Gay and Neel are also present tonight. He thanked the staff and the adjacent residents for their help and support, and indicated that the community meeting generated much valuable input to incorporate into the development plans. Mr. Rutledge also expressed confidence that everything will work out with VDOT and that SHAH will be able to acquire the right of way.

Mr. Kroll asked for clarification on which right of way was being discussed.

Mr. Rutledge clarified that this is the Route 11/460 right of way. He hoped to utilize the portion of the trail that is there already, but it will not be a deal breaker either way. Mr. Rutledge further explained that there has been discussion with VDOT of shifting the proposed entrance. Currently, the entrance is spaced further from nearby entrances than necessary, for the purpose of allowing enough space for a commercial entrance if it is needed in the future. This will help to protect the interests of the nearby property owners. Mr. Rutledge also explained that the reason for a bus shelter not being shown on the site plan is that they do not know where to put it yet.

Mr. Neel, Gay and Neel, added some items to the proffers to address staff concerns, including the addition of the loop trail and fire truck turnarounds. Mr. Neel said that one of the issues that came up in the neighborhood meeting was the possibility of a Smart Way bus stop. Mr. Neel also explained that the applicant has proffered a bus shelter but not the exact location, and a tot lot or playground. The concept plan also positions the development entrance in such a way as to protect the interests of adjacent properties by allowing enough space for flexibility in entrance locations and types. Mr. Neel also provided some elevation views of other developments, and indicated that this development would most likely be a variety of finishes.

Mr. Kroll asked if the proposed elevations would be similar to the images presented.

Mr. Neel said that this would be the case. These are to be \$150,000-200,000 townhomes.

Mr. Neel added that if the rezoning is successful, he will be immediately applying to VDOT for acquisition of the right of way, and would be happy to ask neighbors to join his application if they wanted to attempt to acquire the portion of the right of way in front of their properties.

Mr. Kroll asked what would happen to the vacated right of way.

Mr. Neel explained that typically it would end at the road and the right of way would then be split between adjacent properties.

Mr. Kroll asked if they would have to purchase the vacated right of way.

Mr. Neel explained that those property owners would have first right to do so, but if they did not want it, SHAH Development would most likely purchase it.

Mr. Donahue inquired about the slope easement on the plan and asked if VDOT owns it.

Mr. Neel said that yes, they own it. However, he further explained that it should not have been labeled as a slope easement as it is actually the right of way.

Mr. Donahue asked Mr. Neel if he would prefer for the Commission to proceed with a decision tonight or table the rezoning until the next meeting.

Mr. Neel said that he would like to move forward tonight. He explained that he and his client have addressed all the concerns brought up by staff and Commissioners. However, if the Commission would be more comfortable tabling the item, he does not believe that a week delay will be a major issue.

Mr. Lau said that he fears having the recreation trail between rows of trees may be a safety issue, and would prefer to see those trees along just one side of the trail.

Mr. Rutledge said that this would be doable. He also added that an adjacent property owner, Mr. Smith, spoke with him during the neighborhood meeting and is willing to work with him to vacate the school bus entrance road.

Mr. Donahue asked if that agreement was documented with the Planning Department.

Mr. Neel said that it is still in discussion at this point, but it is his understanding that staff would not have an issue with Tango Lane as it is off site and it should not pose any issue for the proposed project in either case.

Mr. Kroll questioned Mr. Neel about commercial entrances.

Mr. Katz asked Planning staff if the functional classification of this road had been changed yet to a minor arterial as per the Route 11/460 Corridor Plan.

Mr. Sandy said that he is not sure when that change will occur; it has not been changed yet.

Mr. Katz noted that once the road functions as a minor arterial it will require a spacing of 425 feet for commercial entrances.

Mr. Donahue suggested that the Commission allow the public to give comments and then return to this issue after.

Mr. Donahue opened the floor for public comment.

Marlene Taylor (6105 North Fork Road) commented that Mr. Carrier, one of the adjacent property owners, is concerned that SHAH may put trees on his property. He would like assurance that the proposed double row of trees will not encroach on the adjacent property. In addition, Ms. Taylor expressed concern that the estimate of 37 schoolchildren being generated by a 64 acre development is too low and wanted to know who came up with that number. She said that there will be many more children than that which will put a strain on schools and buses. Ms. Taylor also asked where the buses would be driving, as she does not believe that Route 603 is legally wide enough for two tractor trailers.

Mr. Donahue said that Mr. Neel could answer these questions after all citizens have a chance to speak.

Danny Hall, who owns three properties in the area (9777 Old Roanoke Road, 9779 Old Roanoke Road, and 5209 Brookman Drive), explained that his ancestors came to the Lafayette area in 1795, and he wants the area to continue to grow. He commented that if he wanted SHAH's property to be developed in a certain way, he could have purchased the property, as could have anyone else. He expressed support for the proposed project, commenting that the proposal is a good fit for property and the Village area, and would bring construction jobs and tax revenue to the area. He requested that the Planning Commission approve the project.

Clark Woods owns the property zoned General Business at 9827 Old Roanoke Road. He has also purchased the house at the corner of Tango Lane. He expressed a concern that the cul-de-sac may have to go on his

property. He also expressed concern for the safety of children who live in the development and need to take the bus to school. He asked about the possibility of providing an easement for school buses on the northern side of the main road instead. The morning pick up will be during business hours and the congestion caused by automobiles convening to drop off children may cause issues.

Jane Barnett stated that she attended the community meeting on September 30th. She feels that the proposal is interesting and good for the community. She added that Route 603 is going to be updated at the beginning of next year. Since this complex may have husbands and wives working in different areas, Route 603 would help divert some of them from Route 460. She also asked if replacing the trees with a fence may satisfy adjacent property owners. She also commented that she would prefer to see brick units in the development, rather than vinyl or wood. She asked how many rooms would be in each unit.

Mr. Rutledge answered that they will be two (2) and three (3) bedroom units.

Ms. Barnett said that she feels the tax benefits from this development will be good for the County and asked that the Planning Commission make a favorable decision.

Mr. Woods asked that the nearby footbridge be addressed. He also reiterated his concern that the proposed cul-de-sac may encroach on his land.

Mr. Neel came forward to answer questions. He first stated that the trees will not be planted on anyone else's property. Secondly, he said that the projected number of students came from Montgomery County Public Schools. They use a statistical formula to estimate this number. Route 603 will be widened, so buses can pick students up on the right of way.

Mr. Neel addressed the fence question, explaining that it was brought up at the neighborhood meeting but they were not able to reach a definite consensus. However, it seemed to be the general agreement that trees were acceptable.

Mr. Donahue asked if a fence was put in instead, would it have to be opaque.

Ms. Jenkins confirmed this.

Mr. Neel further stated that the units will have some brick on them but will not be entirely brick. The footbridge issue was discussed at the neighborhood meeting, and he will gladly work with other property owners to vacate the right of way and close the bridge. He also assured Mr. Woods that the cul-de-sac will not take away any of his property.

Mr. Kroll asked if there would be an entrance off of the cul-de-sac.

Mr. Neel confirmed this.

Ms. Jenkins said that at the community meeting, it seemed that some adjacent property owners may be interested in the fence option.

Mr. Rutledge said that he has spoken with Mr. Smith and Mr. Carrier about it and it is his understanding that Mr. Carrier prefers trees. However, he would be willing to work with him to find a good solution.

Mr. Kroll pointed out that the application proffered trees.

Mr. Neel stated that the fence could be in addition to the trees.

Mr. Donahue said that the proffers should be flexible and that they should be able to be handled administratively by staff.

Mr. Sandy said that this was not the case. Proffers do not have much flexibility.

Mr. Kroll restated Mr. Katz's question about the status of Route 460.

Mr. Neel explained that he has spoken with Doug Burton, a local resident engineer, but he did not know when the functional class would change as it is currently in the public comment period. This would

increase the commercial entrance requirement to 425 feet, but access to Mr. Carrier's property could not be denied.

Mr. Neel added that any development of Mr. Carrier's parcel at its current size could not allow much in terms of a commercial use.

Mr. Kroll added that this was the point of the recent Comprehensive Plan change, as it opens up all of these parcels for more development possibilities. He asked Mr. Woods about the use of the residential property he just purchased on Tango Lane

Mr. Woods said that this may become an office.

Mr. Neel said that there would be enough space to allow an entrance there.

Mr. Katz asked about the possibility of shifting the development entrance west.

Mr. Rutledge said that it could still be shifted up the road slightly to allow more space for other entrances.

Mr. Neel said that he is willing to change it slightly if needed.

Ms. Hirt asked if all of the units would have identical interiors and/or a different number of bedrooms.

Mr. Rutledge said that they are still conducting a market analysis, but in the past their developments have been a mix of two, three, and sometimes four bedrooms. There is some flexibility in the interior layout.

There being no further comments, the public hearing was closed.

Mr. Katz commented that the plan did not appear to have 360 feet on either side of the entrance for future commercial entrances. He remarked that if the entrance is drawn in the wrong place, there may be a possibility of maintaining 425 feet from both adjacent properties. He also asked if those properties could be rezoned to General Business.

Mrs. Hopkins said that as these properties are less than one (1) acre, they probably could not be rezoned unless the properties were joined together.

Mr. Katz asked what commercial uses are allowed in an Agricultural zoning district.

Mr. Sandy answered that there aren't really any commercial uses allowed in A-1 other than an animal hospital.

Mr. Katz said that he would still prefer to see the entrance moved down a little, but it is not a huge concern.

Mr. Donahue stated that right now the priority should be making the safest entrance possible for those 64 residences than for a possible future use.

Mr. Lau agreed that there is no need to belabor what may happen on other properties.

Mr. Allen added that the proposed project fits the property well.

Mr. Lau proposed that the Commission accept the proposal as presented, with the proffers dated October 8th.

Mr. Katz seconded this.

Mr. Donahue asked Mrs. Hopkins if any proffers still needed to be changed or added.

Mrs. Hopkins said that the bus shelter materials were still needed.

Mr. Kroll asked if there were requirements from the schools for shelters.

Mrs. Hopkins answered that the County school system does not require shelters at all. From a staff standpoint, SHAH Development has the intention to do everything to make their development aesthetically pleasing, but if the property is sold later, detail is needed to avoid a low quality bus shelter.

Mr. Kroll suggested adding language to add a bus shelter and design it in a matching architectural style.

Mr. Sandy stated that the Planning Commission could recommend that that condition be added and refined before the Board approves the request.

A motion was made by Mr. Lau and seconded by Mr. Katz to recommend approval of the request by SHAH Development, LLC (Agent: Gay & Neel, Inc.) to rezone 8.01 acres from A-1 to RM-1, with the following proffered conditions (listed below), a revised bus shelter proffer, and a revised concept plan showing slight modifications to the recreation trail and trees, as discussed.

1. Conceptual Layout: The Property shall be developed in substantial conformance with the conceptual plan prepared by Gay & Neel, dated October 8, 2013 (the "Concept Development Plan").
2. Density: A maximum density of no more than 8.0 units per acre will be permitted.
3. Utilities: Site shall be served by Montgomery County Public Service Authority public water and sanitary sewer.
4. Site Plan: A detailed site plan subdivision plan in conformance with zoning ordinance requirements shall be submitted and approved by the zoning administrator and all other necessary local and state agencies prior to issuance of building permits for this development.
5. Trash Receptacles: No individual trash receptacles shall be stored where visible from public Rights-of-Way. Community dumpsters will be provided and screened on all four sides.
6. Property Management: A property management company and/or homeowner's association shall maintain all grounds, including but not limited to grass areas, recreational areas, parking and paved areas, walking trails and stormwater management area.
7. Screening: A double row of screening trees shall be installed along the two adjacent residential property lines. Trees shall be staggered and no more than 25% of the trees on site will be one species.
8. Road Improvements: Road improvements and turn lanes will be designed per VDOT requirements. Additionally, a hammerhead turnaround easement will be provided at the proposed entrance connection to Old Route 460 (present Route 603) until such time as turnaround improvements to Route 603 may be negotiated with Montgomery County and the Virginia Department of Transportation.
9. Landscaping: Proposed buffer yard shall be in conformance with the requirements of the zoning ordinance and shall be installed prior to the issuance of a certificate of occupancy. Buffer shall not impede sight distance at the proposed or existing entrances. Landscaping along the Route 11/460 right-of-way frontage shall be in-keeping with the Route 11/460 Corridor plan and include hardy ornamental tree species, such as Crepe Myrtles, arranged in irregular groupings and supplemented by groupings of low evergreen shrubs. No more than 25% of the trees on site will be one species.
10. Trail Connectivity: Prior to the completion of the first eight units, a minimum 8' wide asphalt walking trail will be constructed along three sides of the site and will ultimately connect to a 5' wide concrete sidewalk on the fourth side to provide a continuous walking loop around the perimeter of the site. At such time as the proposed trail network outlined in the VITL plan is constructed and reaches the site, at least one additional 8' wide asphalt trail connection will be constructed to connect to the VITL trail network to the site's internal trail network.
11. Recreational Areas: Prior to the completion of the first eight units, the existing asphalt basketball court will be rehabilitated, resurfaced, and maintained for active recreation space. Additionally, a minimum 2,500 square foot tot lot will be constructed with a minimum of a swing-set, slide, and jungle-gym type playground equipment as well as two park benches.

12. Construction Phasing: Mass grading of the site will be completed prior to any construction of proposed units. Sanitary sewer, waterlines, and storm drain system infrastructure will be constructed and installed as necessary for each building.
13. Architectural Design: A mixture of brick, stone and vinyl siding materials shall be utilized in the construction of the townhomes to provide a diverse look between the units.
14. Fire Hydrants: A minimum of four fire hydrants will be installed on the site for fire suppression. Hydrants will be installed prior to the completion and sale of adjacent units to ensure compliance with state and local fire code requirements.
15. Bus Shelter: A minimum 5' x 14' bus shelter constructed of durable, architecturally sound materials that will withstand continual exposure to the elements shall be provided at one of the proposed site entrances with the specific location to be determined at a later date.

Ayes: Allen, Disney, Donahue, Hirt, Katz, Kroll, Lau

Nayes: None

Abstain: None

Mr. Donahue called a recess.

After a brief recess, Mr. Donahue called the meeting to order. He recommended an agenda change to move the Cherry Lane Subdivision up. The other Commissioners agreed.

Mrs. Hopkins explained that this is a plat approval, which is not the same as a public hearing. She stated that the preliminary plat was approved in August 2008 for a development of nine (9) lots. Due to market demands, this plat was never finalized, and as it is only valid for five (5) years, a new preliminary plat has been submitted.

Mrs. Hopkins further explained that modifications to setback requirements in 2011 which changed the minimum and maximum setbacks for the compact residential option, made it so that the 2008 plat no longer met the requirements. The new plat reduced the number of lots to seven (7). The plat is in compliance with the proffers approved by the 1993 rezoning. There will be access to the development only from Cherry Lane, with a proposed alley acting as an access easement.

Mrs. Hopkins read the proffers, which state that the buffer zone and screening will remain in effect. Proposed lots will be served by public water and sewer from the Town of Blacksburg. The Town has reviewed the plat. Mrs. Hopkins indicated that the plat shows a hammerhead turnaround for fire trucks, as well as open space and the buffer zone, which are required to be maintained. Covenants will be reviewed by the County Attorney.

Mr. Donahue asked how big the park will be.

Mrs. Hopkins explained that Kesler Park on the plat refers to open space, not a park. The plat is indicating the required buffer zone as per the 1993 rezoning. Mrs. Hopkins clarified that the open space lot has already been platted. She then indicated the original proffered boundaries. Mrs. Hopkins stated that staff have reviewed the plat and recommend approval with conditions. She added that Bill Yeager is reviewing the erosion and sediment plan, and the GIS analyst has approved street names and addresses.

Steve Semones, Balzer and Associates, explained that in 2010 they were almost ready to go ahead with the subdivision but due to the economy they had to postpone until now. Now they are just awaiting VDOT comments before completing a new plat.

Mr. Kroll asked if the subdivision was scheduled for a Board meeting agenda yet.

Mr. Sandy said that no, it would not be until all issues are addressed.

Mr. Kroll noted that the draft resolution has the wrong date for the subdivision plat (it should be October 2).

Mrs. Hopkins said that she would fix this for the final draft of the resolution.

A motion was made by Mr. Kroll and seconded by Ms. Disney to recommend approval of the preliminary and final plat submitted by Joseph W. Maxwell Rev. Trust (Agent: Balzer and Associates, Inc.), for a major subdivision on approximately five (5) acres, called The Villas at Cherry Lane, with the following conditions:

1. The remaining comments on the subdivision application report, dated September 6, 2013, shall be addressed prior to the County signing the plat.
2. The Virginia Department of Transportation (VDOT) shall review and approve the entrance(s) onto Cherry Lane and any associated drainage plans.
3. The Town of Blacksburg shall review and approve all public water and sewer construction plans including the provisions for fire protection described in Montgomery County Subdivision Ordinance.
4. The Emergency Services Coordinator and Blacksburg Fire Chief shall review and provide comment on proposed alley to address any public safety needs or concerns.
5. The County Engineer shall review and approve the erosion & sediment control plans.
6. The County Attorney shall review and approve the private covenants and deed restrictions, including storm water facilities maintenance and access easement maintenance agreement.
7. The County GIS Analyst shall approve new street name(s) and addresses.

Ayes: Allen, Disney, Donahue, Hirt, Katz, Kroll, Lau

Nays: None

Abstain: None

Mr. Donahue stated that the Commission would now return to the public hearing.

PUBLIC HEARING (continued):

Mr. Donahue asked that Mrs. Hopkins give an overview of all three (3) AFD renewal ordinances, then they could open the public hearing for each and discuss amongst the Commission.

2. An ordinance to renew Agricultural and Forestal District #7 (Wilson/Den Creek) which is generally located in the central portion of Montgomery County and is in the vicinity of Ellett Rd. (Rt. 723) and Den Hill Rd. (Rt. 641). Currently, AFD 7 consists of 9 property owners and approximately 2564.1 acres. The proposed new district would consist of approximately 9 property owners and 2862.9 acres.
3. An ordinance to renew Agricultural and Forestal District #9 (Elliston/Pedlar Hills) which is generally located in the eastern portion of Montgomery County and is in the vicinity of Roanoke Rd (Rt. 11/460) and Seneca Hollow Rd. (Rt. 636). This district is currently under review for another eight year term. Currently, AFD 9 consists of 18 property owners and approximately 4792 acres. The proposed new district would consist of approximately 14 property owners and 4688.117 acres.
4. An ordinance to renew Agricultural and Forestal District #10 (Mount Tabor) which is generally located in the northern portion of Montgomery County east of the Town of Blacksburg and is in the vicinity of Mount Tabor Rd (Rt. 624) and Bishop Rd. (Rt. 648). Currently, AFD 10 consists of 16 property owners and approximately 893.95 acres. The proposed new district would consist of approximately 16 property owners and 915.28 acres. (The AFD Advisory Committee has recommended this district be combined with AFD #2 and renewed for a six (6) year term.)

Mrs. Hopkins explained that Agricultural and Forestal Districts come up for renewal every eight (8) years. AFD 7 is located in the central area of the county. It was established in 1981 and renewed last in 2005. One owner has proposed an addition. The County Attorney has determined that any property owners who do not respond to notices are automatically renewed.

Mrs. Hopkins stated that the AFD Committee conducted field visits to the districts up for renewal. She explained that those properties which participate in the land use program should have a plan on file for forest land but not agricultural. There is also a large amount of land that is not in land use but is in an AFD. The Committee determined that staff and two (2) committee members would form a subcommittee to develop a sample plan for owners to meet the plan requirements. The committee recommended a study for potential tax incentives. The AFD Committee voted to recommend renewal of AFD 7; all plans must be on file by December 31, 2014.

Mrs. Hopkins indicated the location of AFD 9 which is in the eastern portion of county. There was one proposed addition, and two requested withdrawals. These were generally small and unable to be used as agricultural or forestall land, and may have been cut off of larger properties. The AFD Committee voted to recommend renewal. Some outlier parcels, as indicated in the packet, should also be included as they are location in a future land use are of Resource Stewardship as set by the Comprehensive Plan.

Mrs. Hopkins described AFD 10 which is in the northern portion of the county. It was established in 1982 and renewed in 2005. Some parcels were outliers (outside of a one (1) mile boundary) but were also contiguous with another AFD district (AFD 2 – Catawba). The AFD Committee discussed combining AFD 2 and 10, which would then need to be renewed in six (6) years to make concurrent with AFD 2. There will be no outlier parcels once they are combined. The AFD Committee voted to recommend renewal, and to combine AFD 10 and 2.

Mr. Kroll asked if land owners generally approach the County about being included in an AFD, or if the County approaches landowners.

Mrs. Hopkins explained that staff do not advertise the AFDs, but do run legal notices in the paper when renewal comes up, and send notices to those already in the districts. She added that adjoining owners may also tell neighbors.

Ms. Hirt asked why landowners would ask to be included if there is no financial incentive.

Mrs. Hopkins said the the AFDs benefit the County by preserving land, but they are not perpetual. On the landowner's side, AFDs are providing some protection against development impacts. If development is set to take place nearby, the Planning Commission and Board would take into account its proximity to the AFD and may allow for some protective measures to mitigate the effects of development on agricultural and forestry activities.

Mr. Kroll asked Mr. Tuck if he thought the Board might potentially create incentives for this.

Mr. Tuck commented that he cannot speak for the entire board, but he knows that money is tight. He personally feels it is important to protect those areas, but it may be difficult due to the financial impact on the County. However, he believes the Board would be willing to hear a proposal to this end if someone requested it. He cautioned that the County would be hesitant to give tax breaks to some if it would require raising taxes on others.

Mrs. Hopkins clarified that the only purpose of the AFD subcommittee is a template and /or questionnaire for helping to get plans on file for AFD landowners.

Mr. Donahue asked Mr. Sandy why the County wants these lands to be protected.

Mr. Sandy explained that AFDs help to preserve the rural character of the County. In general, those properties require fewer services than other properties. There may be the possibility of requiring people to be in an AFD to be in land use (which defers taxes based on the use of the property).

Mr. Katz asked of the subcommittee's recommendations included waiving the fee for the plan review?

Mrs. Hopkins said that the Planning Department does not charge for plan review. However, the fee for renewal is \$10.

Mr. Sandy further explained that currently there is no financial incentive for people to be in this district. The AFD Committee wants to research what options are available, and if they require state action. Land use is a one (1) year commitment; AFD is eight (8). If the County started requiring those properties in land use to be in an AFD, this would not exclude property owners from doing so, but would be more legitimate as AFDs are reviewed every eight (8) years and some kind of agriculture or forestall use. Currently, land use properties need only be reviewed by the Commissioner of Revenue.

Ms. Hirt commented that the Commission may not be able to resolve the big issues tonight.

Mr. Donahue opened the floor for public comment, however, there being no comments, the public hearing was closed.

A motion was made by Mr. Katz and seconded by Mr. Kroll to recommend approval of the ordinance to renew Agricultural and Forestal District #7 (Wilson/Den Creek) as proposed, including a recommendation to require property owners without plans on file with the County, be given until December 31, 2014 to comply with AFD plan submittal requirements. Parcels included in this district are as follows:

PARCEL ID	OWNER	ACRES
001995	Adelia Arrington	223.082
018598	Julia S Milton & Stewart Milton	38.8
018593	Julia S Milton	355.758
010356	Richard G Ballengee Tr	152.5
024624	Michael E Snyder	22.808
010028	Michael E Snyder	6
026090	Michael E & Kristi W Snyder	103.4795
090196	Michael E & Kristi W Snyder	4.7933
000805	Michael E Snyder	406.787
030150	Stacy Anne Snyder	220.76
080560	John C Lipsey Estate C/O Lynn Lipsey Executor	159.035
011268	John C Lipsey Estate C/O Lynn Lipsey Executor	455.842
012909	Ena J Blake Moles Heirs C/O Jerry Allen Moles	31.92
012910	Ena J Blake Moles Heirs C/O Jerry Allen Moles	38.8
012904	Ena J Blake Moles Heirs C/O Jerry Allen Moles	131.561
012911	Ena J Blake Moles Heirs C/O Jerry Allen Moles	23.8
002684	Stephen J & Revonda B Brumfield	124.88
170248	Stephen J & Revonda B Brumfield	16.5
033688	Gary B Quesenberry	46.99
030055	Michael E Snyder	109.179
013693	Michael E Snyder	157.427
018319	Michael E Snyder	4
015335	Michael E Snyder	18.35
018320	Michael E Snyder	0.6
018318	Michael E Snyder	9.26
	Total Acreage	2862.9118

Ayes: Allen, Disney, Donahue, Hirt, Katz, Kroll, Lau

Nayes: None

Abstain: None

A motion was made by Mr. Katz and seconded by Ms. Hirt to recommend approval of the ordinance to renew Agricultural and Forestal District #9 (Elliston/Pedlar Hills) as proposed, including a recommendation to require property owners without plans on file with the County, be given until December 31, 2014 to comply with AFD plan submittal requirements. Parcels included in this district are as follows. The "outlier parcels", denoted by asterisk below, are specifically included in AFD 9 (Elliston/Pedlar Hills), per section § 15.2-4305 of the Code of Virginia, for their agricultural and forestall significance to Montgomery County.

PARCEL ID	OWNER	ACRES
030634	Justin S Askins	140.5000
002212	Lowell Elmer Bower Et Al	325.4790
008617	Sally H Brammer	60.1200
008618	Sally H Brammer	74.1000
020608	Sally H Brammer	132.0000
011871*	John G & Donna A Conner Le	57.1380
030098*	John G & Donna A Conner Le	18.4130
013680	Fotheringay Llc	188.1000
013681	Fotheringay Llc	37.8240
013682	Fotheringay Llc	15.3000
013683	Fotheringay Llc	60.7000
013684	Fotheringay Llc	304.4000
007386	Graham Farm & Rentals Llc	380.0000
007387	Graham Farm & Rentals Llc	145.0000
007382	Joyce L Graham	0.2000
007385	Joyce L Graham	7.0000
013169	Randolph Howard Leech & Irene Ellis	73.2090
008419	Madison E Marye Rev Trust	291.7000
011962	Madison E Marye Rev Trust The	263.1750
120046	Madison E Marye Rev Trust The	1.0000
032862	James Madison Marye & Charlotte M Hawes	909.5060
080620	MB Development LLC	67.7600
018586	Julia S Milton	60.9350
018588	Julia S Milton	711.4900
018590	Julia S Milton	95.0000
018592	Julia S Milton	7.6790
018596	Julia S Milton	202.5890
018600	Julia S Milton	46.7900
011021	Holly R Sutphin	6.0100
130923	Andrea Weddle	2.0000
013256	Sally H Brammer	3.0000
	Total Acreage	4688.117
	Parcels to be Removed	
*160186	Montgomery County PSA	0.23
*015680	Jr Grant	0.12

Ayes: Allen, Disney, Donahue, Hirt, Katz, Kroll, Lau

Nayes: None

Abstain: None

A motion was made by Mr. Katz and seconded by Ms. Disney to recommend approval of the ordinance to renew Agricultural and Forestal District #10 (Elliston/Pedlar Hills) as proposed, including a recommendation to require property owners without plans on file with the County, be given until December 31, 2014 to comply with AFD plan submittal requirements. Parcels included in this district are as follows:

PARCEL ID	OWNER	ACRES
004082	Johnny Lee & Flora Cox	57.2890
010527	Virginia E Cox Life Estate C/O Mildred C Lafon	9.4740
004928	Dessy Living Trust C/O Raymond E & Annabelle Dessy	34.3000
110873	David L Emanuel & Deborah E. Hammond	15.0000
033276	Eversole Dan E	40.6330
006739	Joshua B Fugate Le Etal C/O Sharon Linkous Etal	184.2940
009443	James L & Phyllis M Hutton	15.0830
026945	James L & Phyllis M Hutton	37.0170
024588	Robert M & Donna Thomas Jones	37.1930
024591	Robert M & Donna Thomas Jones	9.2450
025407	Robert M & Donna Thomas Jones	21.2000
025714	Robert M & Donna Thomas Jones	4.5160
025795	Robert M & Donna Thomas Jones	0.7280
010526	Aaron L & Jeannie Lafon	3.7280
004081	Mildred Cox Lafon	1.0000
150069	Mildred Cox Lafon	50.0000
150070	Mildred Cox Lafon	21.3150
024590	Margaret McGraw Slayton Liv Tr	89.1260
028993	J Phillip Pickett Rev Trust	20.2120
016722	John C Schug	62.7800
019473	D Phillip & Torsten D. Sponenberg	12.8000
019476	D Phillip & Torsten D. Sponenberg	84.3000
019477	D Phillip & Torsten D. Sponenberg	23.1530
024589	Thomas W & Bonnie B Triplett	32.4890
025406	Thomas W & Bonnie B Triplett	10.5210
026225	Thomas W & Bonnie B Triplett	1.7520
027723	Thomas W & Bonnie B Triplett	4.6210
110874	Carl E Zipper	10.0000
033708	Carl E Zipper	21.5164
	Total Acreage	915.2854

Ayes: Allen, Disney, Donahue, Hirt, Katz, Kroll, Lau

Nayes: None

Abstain: None

OLD BUSINESS:

None

LIAISON REPORTS:

- Board of Supervisors – Chris Tuck reported that there had been some debate after the Board approved the SHAH Development Comprehensive Plan change to expedite the rezoning process. This was done because of the unusually long delay between the September and October meeting. There is some debate as to whether this was an appropriate action, however, most in attendance at the Board meeting seemed to be in favor, and there was no public opposition. Mr. Tuck also reported that the old

Blacksburg High School site will be surplusd to the County soon, after approval from County Schools. He hopes that there will be meetings with the Town Council, but none are scheduled yet.

- Agriculture & Forestal District – Mr. Donahue attended the meeting on September 5th. The discussion focused on the renewals and subcommittee discussion that the Commission has already been over tonight. He asked if renewals occur every year.

Mr. Sandy answered that there is only one district up for renewal next year.

Mrs. Hopkins added that after that, there will probably be no renewals for several years.

- Blacksburg Planning Commission – Mr. Allen reported that the Planning Commission had discussed some rezoning applications, but none that seemed as if they would impact the County. They also elected officers, and Mr. Lancaster is the new Chair.
- Christiansburg Planning Commission – Ms. Disney reported that Christiansburg is attempting to encourage more growth in town along the Main Street corridor.
- Economic Development Committee – No report.
- Public Service Authority – Mr. Donahue attended two PSA meetings on September 3rd and October 7th. He reported that the Chairman had resigned after the upheaval in August, and Mr. Brown is now the Chairman. The PSA is also looking into new meters that can log water use electronically.
- Parks & Recreation – Mr. Kroll attended the October 3rd meeting, at which they discussed the rec sports program. He also reported that Mr. Fotinos is not going to serve a second term and that the position is open. There was some discussion about drainage and the trail in Huckleberry Ridge; Mr. Haugh is looking into this. There is also a property near an AEP site which was given to the County as recreational space some years ago; the Parks and Recreation Commission voted to sell the property instead to generate revenue for a park.
- Radford Planning Commission – No report.
- School Board – No report.
- Tourism Council – Mr. Sandy reported that the Council is wrapping up the tourism plan and looking into branding for the County and towns.

Mr. Kroll added that there was a discussion at the Parks and Recreation meeting about engaging with the Tourism Director.

- Planning Director's Report – Mr. Sandy announced that there will be no meeting next week as there are no agenda items. He also reminded the Commission that the Planning and Zoning Conference in Roanoke starts this Sunday and runs through Tuesday.

MEETING ADJOURNED:

There being no further business the meeting was adjourned at 9:57 PM.